

April 30, 1934

Mr. Don C. Babbitt, Counsel and Referee
Industrial Commission
Arizona State Building
Phoenix, Arizona

Dear Sir:

In response to your oral request, I hand you herewith my opinion relative to whether or not you are now a member of the Maricopa County Democratic Central Committee.

Section 1391, Revised Code of Arizona, 1928, provides that no commissioner or any regular employee of the Commission shall serve on any committee of any political party.

I am advised that upon your appointment to your present position, you executed and filed with the Secretary of the Maricopa County Democratic Central Committee your resignation as Chairman and member of the Maricopa County Democratic Central Committee. No meeting has been held of the Committee since your resignation was filed. It is my opinion that your resignation became effective immediately upon your filing the same with the Secretary of the Democratic Central Committee, without the necessity of the Committee accepting such resignation. It is further my opinion that, by reason of the provisions of Section 1391, supra, upon accepting your present position you became disqualified to act as a member of any committee of any political party and therefore you automatically vacated your office as member and Chairman of the Maricopa County Democratic Central Committee.

Very truly yours,

CLS:B

Assistant Attorney General

34-149